NOTICE OF TYPE III DEVELOPMENT REVIEW APPLICATION, OPTIONAL SEPA DETERMINATION OF NON-SIGNIFICANCE & PUBLIC HEARING



Form DS1325

The Clark County Department of Community Development has received an application for development review, as described below. Based on a review of the submitted application materials, the County expects to issue a <u>Determination of Non-Significance (DNS)</u> for the proposal allowed by state law and Clark County Code (CCC), Section 40.570.040(E) – Optional DNS Process. As lead agency, the county has determined that the requirements for environmental analysis, protection, and mitigation measures are adequately addressed in the development regulations and comprehensive plan adopted under chapter 36.70A RCW, and in other applicable local, state, or federal laws rules, as provided by RCW 43.21.240 and WAC 197-11-158. Our agency will not require any additional mitigation measures under SEPA. The proposal may include mitigation under applicable codes and the project review.

Comments received within the deadline will be considered in the review of the proposal. Your response to this notice may be your only opportunity to comment on the environmental impacts of this proposal. No additional comment period will be provided unless probable significant environmental impacts are identified during the review process, which would require additional study or special mitigation. The proposal may include mitigation under applicable codes and the project review process may incorporate or require mitigation measures regardless of whether an Environmental Impact Statement (EIS) is prepared.

<u>Closing Date for Public Comments:</u> March 5, 2010 (15 days from notice)

Information regarding this application can be obtained by contacting the staff contact person listed below, or visit the Public Service Center, Development Services Division, 1300 Franklin Street, 3rd Floor, Vancouver, Washington.

The Clark County Hearings Examiner will conduct the public hearing on April 22, 2010, at 6:00 P.M., at Public Service Center, 1300 Franklin St., Vancouver, Washington, Sixth Floor Suite 680 (see attached map). The doors to the Public Service Center will open between 5:45 and 7 p.m. for those attending the hearing on this matter. Parking is available in the parking garage on the north side of the Public Service Center (access off Franklin St.).

Project Name:

NOBLE MEADOWS PLANNED UNIT

DEVELOPMENT

Case Number:

PLD2010-00001; PUD2010-00001; SEP2010-00002;

WET2010-00001; GEO2010-00002; HAB2010-00002

Location:

616 NE 149TH Street

Request:

The applicant is requesting preliminary plat approval to subdivide approximately 9.37 acres into 32 single-family residential lots using the planned unit development (PUD) standards, CCC

40.520.080, in the R1-10 zoning district.

Applicant:

Sterling Design, Inc. Attn.: Joel Stirling, P. E.

2208 E. Evergreen Blvd, Suite A

Vancouver, WA 98661

(360)759-1794; (360)759-4983

mail@sterling-design.biz; Joel@sterling-design.biz

Contact Person:

(Same as Applicant)

Property Owner:

Stan Firestone 50% Int.

P.O. Box 61928

Vancouver, WA 98666

Zoning:

R1-10

Comp Plan Designation:

Parcel Number(s):

185410-000

UL

Township: 3 North

Range: 1 East

NE ¼ of Section: 22

Applicable Code Sections:

Clark County Code Chapter 40.350 (Transportation), 40.350.020 (Concurrency), 40.385 (Storm Water Drainage and Erosion Control), 15.12 (Fire Code), 40.570.080 (SEPA), 40.570.080 (C) (3) (k) (Historic & Cultural Preservation), 40.540.040 (Land Division Ordinance), 40.220.010 (Urban Residential Districts, R1-10), 40.520.080 (PUD), 40.450 (Wetland Protection), 40,440 (Habitat Conservation), 40,430 (Geologic Hazard Areas), 40.610 (Impact Fees), 40.370.010 (D) (Sewer Connection), 40.370.020 (D) (Water Connection), 40,500 (Process), RCW 58.17 (State Land Division Laws)

Neighborhood Contact:

North Salmon Creek Neighborhood Association Barbara Anderson, President 105 NE 150th Street Vancouver, WA 98685 (360) 573-2240

E-mail: barbara.anderson@msn.com

Staff Contact Person:

Planner Name: Michael Uduk (360) 397-2375, ext. 4385

E-mail: michael.uduk@clark.wa.gov

Please email SEPA comments to: michael.uduk@clark.wa.gov

Note: If mailing comments, an accurate mailing address for those submitting comment must be included or they will <u>not</u> qualify as a "Party of Record" and, therefore, will not have standing to appeal the decision.

If written comments or documents are to be hand delivered, please submit them to the Public Service Center, 1st Floor by **12 pm the day of the public hearing**.

Responsible Official:

Michael V. Butts, Development Services Manager Public Service Center Department of Community Development 1300 Franklin Street P.O. Box 9810 Vancouver, WA 98666-9810

Application Filing date: 1/9/10

Fully Complete Date: 1/29/10 (On hold 1/30/10 to 2/11/10)

Date of this notice: 2/18/10

SEPA Options:

As lead agency under the State Environmental Policy Act (SEPA) Rules [Chapter 197-11, Washington Administrative Code (WAC)], Clark County must determine if there are possible significant adverse environmental impacts associated with this proposal. The options include the following:

- **DS = Determination of Significance** (The impacts cannot be mitigated through conditions of approval and, therefore, requiring the preparation of an Environmental Impact Statement (EIS);
- MDNS = Mitigated Determination of Non-Significance (The impacts can be mitigated through conditions of approval); or,
- **DNS = Determination of Non-Significance** (The impacts can be addressed by applying the County Code).

Timelines/Process:

Decisions on Type III applications are made within 92 calendar days of the Fully Complete date (noted above), unless placed on hold for the submittal of additional information.

SEPA Appeal Process:

A procedural SEPA appeal is an appeal of the determination (i.e.. determination of significance, determination of non-significance, or mitigated determination of non-significance). A substantive SEPA appeal is an appeal of the conditions required to

mitigate for probable significant issues not adequately addressed by existing County Code or other law.

Issues of compliance with existing approval standards and criteria can still be addressed in the public hearing without an appeal of this SEPA determination.

A **procedural appeal** must be filed within fourteen (14) calendar days of this determination, together with the appeal fee. Such appeals will be considered in the scheduled public hearing and decided by the Hearing Examiner in a subsequent written decision.

Appeals must be in writing and contain the following information:

- 1. The case number designated by the County and the name of the applicant;
- 2. The name and signature of each person or group (petitioners) and a statement showing that each petitioner is entitled to file an appeal as described under Section 40.510.030(H) of the Clark County Code. If multiple parties file a single petition for review, the petition shall designate one party as the contact representative with the Development Services Manager regarding the petition, including notice, shall be with this contact person;
- 3. The specific aspect(s) of the decision and/or SEPA issue being appealed, the reasons why each aspect is in error as a matter of fact or law, and the evidence relied, on to prove the error; and,
- 4. A check for the appeal fee (made payable to the Department of Community Development).

The appeal request and fee shall be submitted to the Department of Community Development, Customer Service Center, at the address listed below.

The decision of the Hearing Examiner is final unless there is:

- A motion filed for reconsideration within fourteen (14) days of written notice of the decision, as provided under Clark County Code, Section 2.51.160; or,
- An appeal is filed with Clark County Superior Court.

ACCOMMODATION OF PHYSICAL IMPAIRMENTS

The Public Service Center is wheelchair accessible. If you need auxiliary aids or services in order to attend, contact the Clark County ADA Office. **Voice** (360) 397-2000; **Relay** (800) 833-6384; **E-mail** ADA@clark.wa.gov.

Information Available on the County Web Page:

- "Weekly Preliminary Plan Review Status Report," (includes current applications, staff reports and final decisions): http://www.clark.wa.gov/commdev/active-landuseN.asp
- Pre-Application Conferences and Public Land Use Hearing Agendas:

http://www.clark.wa.gov/commdev/agendasN.asp

• Applications and Information Handouts for each Type of Land Use Permit: http://www.clark.wa.gov/commdev/applicationsN.html

> Phone: (360) 397-2375; Fax: (360) 397-2011 Web Page at: <u>http://www.clark.wa.gov</u>

Attachments:

- Proposed project site/land division plan
- Map of property owners receiving notice

Agency Distribution:

This notice is being provided to the following agencies with jurisdiction whose services maybe impacted by implementation of this proposal:

Federal Agencies:

U.S. Army Corps of Engineers - Enforcement Division

Tribes:

Cowlitz Indian Tribe Yakama Nation Chinook Tribe

State Agencies:

Department of Natural Resources (S.W. Region)

Department of Ecology

Department of Fish and Wildlife Department of Transportation

Regional Agencies:

Fort Vancouver Regional Library Southwest Clean Air Agency

Vancouver-Clark Parks & Recreation

Local Agencies:

Clark County Department of Community Development

Development Services
Development Engineering

Fire Marshal

Clark County Health Department

Clark County Public Works Transportation Division

Clark County Conservation District Clark County Water Resource Council City of Vancouver Transportation

Special Purpose Agencies:

Fire Protection District #6

Clark Public Utilities

Clark Regional Wastewater District/City of Vancouver Water/Sewer

The Media

The Columbian The Oregonian The Reflector

Vancouver Business Journal

The Post Record

Other:

Applicant

Clark County Neighbors

Clark County Natural Resources Council

Clark County Citizens United

C-Tran

Neighborhood Association

Add Attachment for Agencies:

SEPA checklist

TAB 16 STATE ENVIRONMENTAL REVIEW

Clark county SEPA Environmental Checklist

Washington Administrative Code (WAC) 197-11-960

Purpose of checklist:

The State Environmental Policy Act (SEPA), Revised Code of Washington (RCW), Chapter 43.21C, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal and to help the agency decide whether or not an EIS is required.

Instructions for applicants:

This environmental checklist asks you to describe basic information about your proposal. Governmental agencies use this checklist to determine whether or not the environmental impacts of your proposal are significant. Please answer the questions briefly, giving the most precise information or best description known. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you do not know the answer or if a question does not apply to your proposal, write "do not know" or "does not apply."

Some questions pertain to governmental regulations such as zoning, shoreline, and landmark designations. If you have problems answering these questions, please contact the Clark County Customer Service Center for assistance.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. You may be asked to explain your answers or provide additional information related to significant adverse impacts.

Use of checklist for non-project proposals:

Complete this checklist for non-project proposals (e.g., county plans and codes), even if the answer is "does not apply." In addition, complete the **SUPPLEMENTAL SHEET FOR NON-PROJECT ACTIONS** (Part D).

For non-project actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

A. Background

- 1. Name of proposed project, if applicable: Noble Meadows Subdivision
- Name of applicant: Joel Stirling, STERLING DESIGN, INC.
- Address and phone number of applicant and contact person:
 2208 E. Evergreen Blvd., Vancouver, WA, 98661/ (360) 759-1794
- 4. Date checklist prepared: 01-14-10
- 5. Agency requesting checklist: Clark County
- 6. Proposed timing or schedule (including phasing, if applicable): Construction to commence spring of 2011
- 7. Do you have any plans for future additions, expansion, or further activity related to this proposal? If yes, explain. **No**
- 8. List any environmental information that has been or will be prepared related to this proposal. A wetland / habitat report has been prepared by MRM Consulting and is being submitted along with an application for a habitat and wetland permit from Clark County. A Cultural Resources Survey was completed at the site by Archaeological Services of Clark County in November of 2008 and no artifacts were discovered, "no further work is warranted for the site".
- 9. Are other applications pending for governmental approvals affecting the property covered by your proposal? If yes, please explain. **No**
- List any government approvals or permits needed for your proposal:
 Clark County for Subdivision approval & construction, Clark Regional Wastewater District for Sanitary sewer, Clark Public Utilities for Water.
- 11. Give a brief, complete description of your proposal, including the proposed uses and size of the project and site. There are several questions addressed later in this checklist asking you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

This proposal is to subdivide one parcel of land totaling 9.37 Acres into a total of 32 single-family residential building lots within the R1-10 zone, utilizing the Planned Unit Development incentives

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including street address, section, township, and range. If this proposal occurs over a wide area, please provide the range or boundaries of the site. Also, a legal description, site plan, vicinity map, and topographic map. You are required to submit any plans required by the agency, but not required to submit duplicate maps or plans submitted with permit applications related to this checklist.

The project is located at 616 NE 149th Avenue, Vancouver 98666, Serial Number(s): 185410-000 in a portion of the NE ½ of Section 22, Township 3 North, Range 1 East, Willamette Meridian, Clark County, WA

B. Environmental Elements

1. Earth Agency
Use only

General description of the site (circle one): Flat, rolling, hilly,

What is the steepest slope on the site and the approximate

percentage of the slope? Approximately 52%

steep slopes, mountainous, other

a.

b.

- c. What general types of soils are found on the site (e.g., clay, sand, gravel, peat, muck)? Please specify the classification of agricultural soils and note any prime farmland. HoB, HoE and GeB (Silt); Type B & C soil(s).
- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, please describe. No, a Geotechnical Site Investigation was completed at the site and found the proposal to be feasible with proper construction techniques.

- e. Describe the purpose, type, and approximate quantities of any filling or proposed grading. Also, indicate the source of fill. Grading will take place as part of the construction process. It is anticipated that there may be up to 100,000 cu. yd's of cut and fill required to construct the project. Fill type and location is not known at this time.
- f. Could erosion occur as a result of clearing, construction, or use? If so, please describe. Yes, an erosion control plan will be designed and approved prior to commencing any construction activities as required by Clark County Code.
- g. What percentage of the site will be covered with impervious surfaces after the project construction (e.g., asphalt or buildings)? Approximately 25%

Agency Use only

h. Proposed measures to reduce or control erosion, or other impacts to the earth include: An approved erosion control plan will be submitted to and approved by Clark County prior to commencing construction.

2. Air

- a. What types of emissions to the air would result from this proposal (e.g., dust, automobile, odors, industrial wood smoke) during construction and after completion? Please describe and give approximate quantities. Construction dust and vehicle emissions during construction. Single-family residential emissions following build out.
- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, please describe. **No**
- c. Proposed measures to reduce or control emissions or other impacts to air: N/A

3. Water

a. Surface:

- 1) Is there any surface water body on or in the vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, and wetlands)? If yes, describe the type and provide names and into which stream or river it flows into. Yes, a small seasonal wetland area to Whipple Creek drains through the property and the subdivision is located just south of Whipple Creek.
- 2) Will the project require any work within 200 feet of the described waters? If yes, please describe and attach available plans. Yes, a small portion of the stormwater facilities will be constructed within 200' of the wetlands on the site and the stormwater facilities will drain to Whipple Creek after quality and quantity control via. sheet flow over natural vegetation
- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material. None

Agency Use only

- 4) Will the proposal require surface water withdrawals or diversions? Please provide description, purpose, and approximate quantities: No
- 5) Does the proposal lie within a 100-year floodplain? If so, please note the location on the site plan. **No**
- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge. **No**

b. Ground:

 Will ground water be withdrawn, or will water be discharged to ground water? Please give description, purpose, and approximate quantities. Yes, infiltration of roof areas and treated stormwater will take place on the property as part of the stormwater management system

2) Describe waste material that will be discharged into the ground from septic tanks or other sources; (e.g., domestic sewage; industrial, containing the following chemicals. . .; agricultural; etc.). Describe the size and number of the systems, houses to be served; or, the number of animals or humans the systems are expected to serve. None

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal. Include quantities, if known. Describe where water will flow, and if it will flow into other water. Stormwater drainage will be collected, conveyed to, and treated within a biofiltration swale for water quality control. A combination detention/infiltration pond will be utilized to provide for quantity control of stormwater runoff per Clark County Development code. Following quality and quantity control, the stormwater will then be directed to the natural flow routes via a sheet flow berm.
- 2) Could waste materials enter ground or surface waters? If so, please describe, **No**
- d. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any: Stormwater facilities per Clark County Standards

4. Plants

Agency Use only

- a. Check or circle types of vegetation found on the site:
 - Deciduous tree: alder, maple, aspen, other
 - Evergreen tree: fir, cedar, pine, other
 - Shrubs
 - Grass

- Pasture
- Crop or grain
- Wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- Water plants: water lily, eelgrass, milfoil, other
- Other types of vegetation
- b. What kind and amount of vegetation will be removed or altered? Pasture grass will be replaced with pavement and landscaping.
- List threatened or endangered species on or near the site. No known species on the site.
- d. List proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site: Wetland and Habitat buffer enhancement will be done in combination with the stormwater facilities to enhance both water quality and the sensitive areas on and adjacent to the site.

5. Animals

- a. Circle any birds and animals which have been observed on or near the site:
 - Birds: hawk, heron, eagle, songbirds, other;
 - · Mammals: deer, bear, elk, beaver, other; and,
 - Fish: bass, salmon, trout, herring, shellfish, other.
- List any threatened or endangered species known to be on or near the site. No known species.
- c. Is the site part of a migration route? If so, please explain. No known migration route through the site.

d. List proposed measures to preserve or enhance wildlife: There are sensitive land buffers on the wetlands and habitat areas that will preserve wildlife corridors and water quality. Enhancement of the existing buffers will also increase the quality of the buffers to mitigate for the proposed development

6. Energy and natural resources

Agency Use only

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc. Single-family use
- b. Would your project affect the potential use of solar energy by adjacent properties? If so, please describe. **No**
- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts: None

7. Environmental health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, please describe. **No**
 - Describe special emergency services that might be required. Single-family use
 - 2) Proposed measures to reduce or control environmental health hazards, if any: **None**

b. Noise

 What types of noise exist in the area which may affect your project (e.g., traffic, equipment, operation, other)?
 Construction noise during construction, typical single-family use following build out.

- 2) What types and levels of noise are associated with the project on a short-term or a long-term basis (e.g., traffic, construction, operation, other)? Indicate what hours the noise would come from the site. Construction hours are 7:00am to 7:00 pm, only during subdivision and home construction.
- 3) Proposed measures to reduce or control noise impacts: **None**

8. Land and shoreline use

Agency Use only

- What is the current use of the site and adjacent properties?
 Single-family use.
- b. Has the site been used for agriculture? If so, please describe. Site has had limited livestock and limited agriculture over the years. No livestock or agriculture exists at the property today.
- c. Describe any structures on the site. None.
- Will any structures be demolished? If so, please describe.
 No
- e. What is the current zoning classification of the site? R1-10
- f. What is the current comprehensive plan designation of the site? **UL**
- g. What is the current shoreline master program designation of the site? N/A
- h. Has any part of the site been classified as an "environmentally sensitive" area? If so, please specify.

Yes, wetlands and habitat areas, these areas have been addressed within the application.

- How many people would reside or work in the completed project? 32 families
- j. How many people would the completed project displace? None
- Please list proposed measures to avoid or reduce displacement impacts: N/A
- I. List proposed measures to ensure the proposal is compatible with existing and projected land uses and plans: Approval by Clark County to assure compliance with Clark County development Codes and State requirements.

9. Housing

Agency Use only

- a. Approximately how many units would be provided? Indicate whether it's high, middle, or low-income housing.
 32 new middle income houses
- b. Approximately how many units, if any, would be eliminated? Indicate whether it's high, middle, or low-income housing. **None**
- c. List proposed measures to reduce or control housing impacts:

 None

10. Aesthetics

a. What is the tallest height of any proposed structure(s), not including antennas? What is proposed as the principal

exterior building materials? 35' is the maximum allowed in the building code could be up to 40' with appropriate approvals from Clark County building department. Siding will be standard materials used in single family home construction here in Clark County and approved by the building department.

- b. What views in the immediate vicinity would be altered or obstructed? **None**
- c. Proposed measures to reduce or control aesthetic impacts:

 None

11. Light and glare

- What type of light or glare will the proposal produce? What time of day would it mainly occur? Streetlights, car lights at night.
- b. Could light or glare from the finished project be a safety hazard or interfere with views? **No**
- c. What existing off-site sources of light or glare may affect your proposal? Car lights, adjacent single family uses
- d. Proposed measures to reduce or control light and glare impacts: **None**

12. Recreation

Agency Use only

- a. What designated and informal recreational opportunities are in the immediate vicinity? **None**
- b. Would the project displace any existing recreational uses? If so, please describe. **No**

d. Proposed measures to reduce or control impacts on recreation, including recreational opportunities to be provided by the project or applicant: **None**

13. Historic and cultural preservation

- Are there any places or objects on or near the site which are listed or proposed for national, state, or local preservation registers. If so, please describe. No
- b. Please describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site. Moderate archaeological predictive, an archaeological predetermination was performed on site by Archaeological Services of Clark County and archeological no artifacts were found.
- c. Proposed measures to reduce or control impacts: None

14. Transportation

- a. Identify the public streets and highways serving the site, and describe proposed access to the existing street system.
 Show on site plans, if any. I-5, I-205, NE 134th Street, NE 149th Street & NE 10th Avenue
- b. Is the site currently served by public transit? If not, what is the approximate distance to the nearest transit stop? **No**
- How many parking spaces would the completed project have?
 How many would the project eliminate? Single-family use

Agency Use only

- d. Will the proposal require new roads or streets, or improvements to existing roads or streets, not including driveways? If so, please describe and indicate whether it's public or private. Yes, new public streets will be constructed to serve the project.
- e. Will the project use water, rail, or air transportation? If so, please describe. **No**
 - f. How many vehicular trips per day would be generated by the completed project? Indicate when peak traffic volumes would

- occur. Approximately 306 ADT, 24 AM peak trips and 32 PM peak trips.
- g. Proposed measures to reduce or control transportation impacts: **New roads will be constructed on the property**

15. Public services

- a. Would the project result in an increased need for public services (e.g., fire protection, police protection, health care, schools, other)? If so, please describe. Single-family use will require all services
- b. Proposed measures to reduce or control direct impacts on public services: **None**

16. Utilities

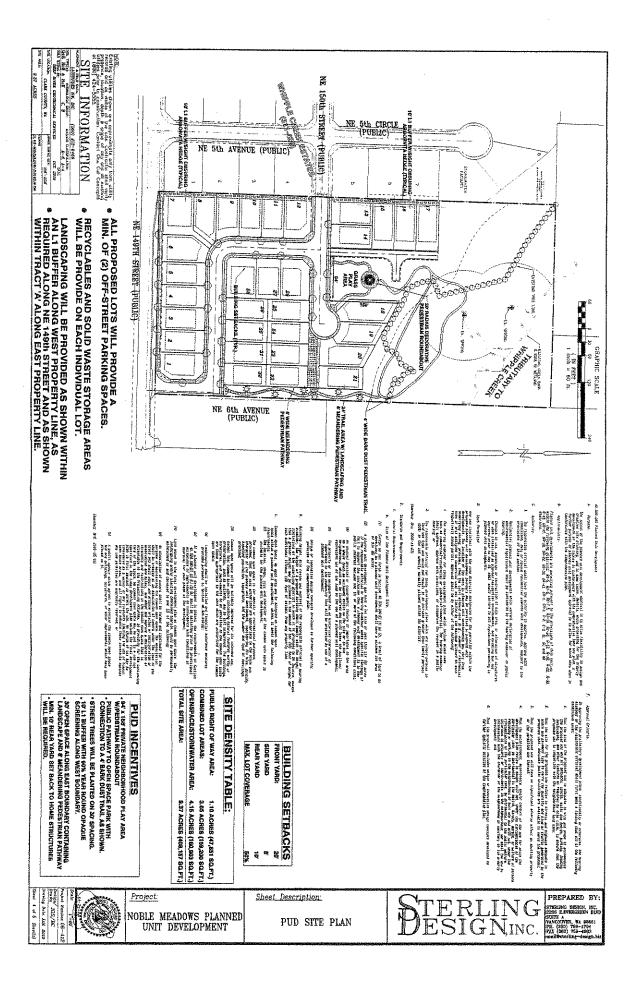
- a. Circle the utilities currently available at the site: **electricity**, **natural gas, water, refuse service, telephone, sanitary sewer**, septic system, other.
- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on or near the site: **All utilities as listed above**

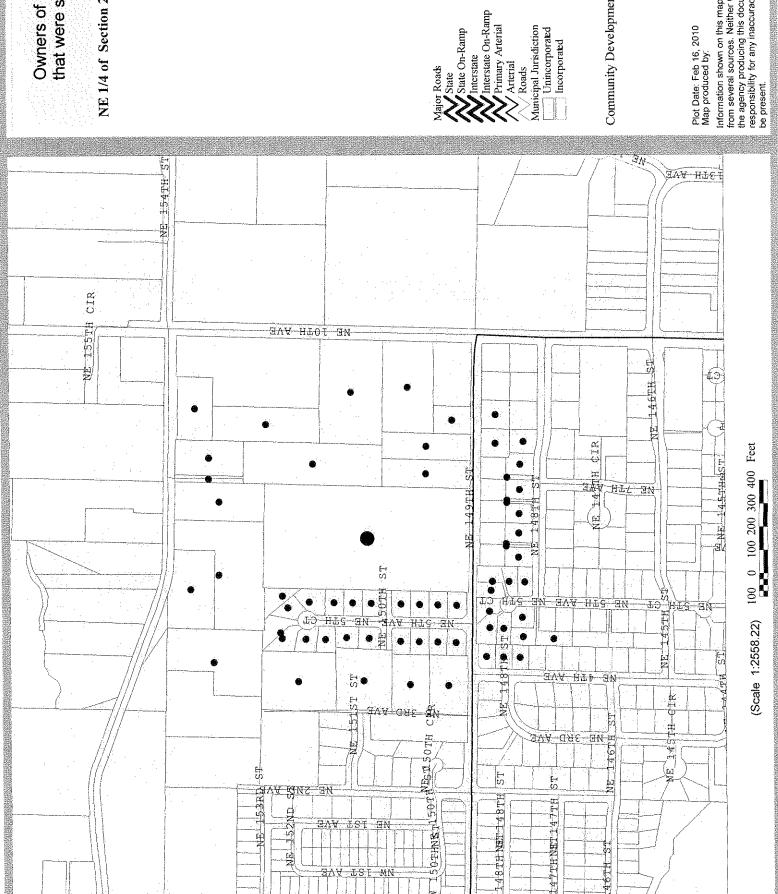
C. Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature:

Date Submitted: 0/-/8-/0





that were sent notice Owners of property

NE 1/4 of Section 22 T3R1E WM

Community Development (Development Serv

Information shown on this map was collected from several sources. Neither Clark County or the agency producing this document accept responsibility for any inaccuraces that may be present.